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6
7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 * * *

10 MICHAEL ERWINE,

11 Plaintiff,

Case No.: 3:18-cv-00461-RCJ WGC

12 vs.

**PROPOSED ORDER TO RESOLVE
DEFENDANTS' EMERGENCY
MOTION FOR CONTINUANCE OF
TRIAL AND SANCTIONS PURSUANT
TO FRCP 37**

13 CHURCHILL COUNTY, a political
subdivision of the State of Nevada,
14 CHURCHILL COUNTY SHERIFF
BENJAMIN TROTTER, and DOES 1
through 10 inclusive;

15 Defendants.
16 _____/

17 COMES NOW, Plaintiff MICHAEL ERWINE and Defendants CHURCHILL
18 COUNTY, a political subdivision of the State of Nevada, CHURCHILL COUNTY
19 SHERIFF BENJAMIN TROTTER, and hereby submit the following Proposed Order to
20 Resolve Defendants' Emergency Motion for Continuance of Trial and Sanctions
21 Pursuant to Federal Rule of Civil Procedure 37.

22 On February 16, 2022, Defendants filed an Emergency Motion for Continuance
23 of Trial and for Sanctions Pursuant to FRCP 37. On February 18, 2022, the Plaintiff
24 filed a response in opposition thereto. On February 19, 2022, the Defendants filed a
25 reply. The parties have subsequently met and conferred about the motion and make
26 the following proposal to resolve the issues raised in same for the Court's
27
28

1 consideration in advance of the hearing on the motion to be held on Wednesday,
2 February 23, 2022:

3 (1) That discovery be reopened and that the Defendants be permitted to
4 engage in discovery for a period of 120 days from the date of this Order on
5 all issues related to and/or raised by the documents disclosed by Plaintiff on
6 February 11, 2022;

7 (2) That the Defendants be permitted to file a Motion for Summary Judgement
8 30 days after the close of discovery; and

9 (3) That the trial date scheduled for March 15, 2022, be reset for a date
10 convenient on the Court's calendar on August 1, 2022, or thereafter.

11 **DATED** this Tuesday, February 22, 2022

12
13 By: /s/ Katherine Parks, Esq.
14 KATHERINE F. PARKS, ESQ.
15 THORNDAL ARMSTRONG
16 6590 S. McCARRAN BLVD. SUITE B.
17 RENO, NV 89509
18 *ATTORNEY FOR THE DEFENDANT*

19 By: /s/ Luke Busby, Esq.
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27 **IT IS SO ORDERED**

28 DATED: _____

UNITED STATES DISTRICT JUDGE